

Docket No. 283146US17PCT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Savino BOVE, et al.

SERIAL NO: 10/578,569

GAU: 3728

FILED: May 5, 2006

EXAMINER: Unassigned

FOR: SHOE WITH AN ADJUSTABLE SOLE

**INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97**

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicant(s) wish to disclose the following information.

**REFERENCES**

- ☒ The applicant(s) wish to make of record the reference(s) listed on the attached form PTO-1449 and were cited in the attached International Search Report and with written opinion dated March 19, 2007. Copies of the listed reference(s) are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language reference(s).
- ☐ Online credit card payment is being made in the amount required under 37 CFR §1.17(p).

**RELATED CASES**

- ☐ Attached is a list of applicant's pending application(s), published application(s) or issued patent(s) which may be related to the present application. In accordance with the waiver of 37 CFR 1.98 dated September 21, 2004, copies of the cited pending applications are not provided. Cited published and/or issued patents, if any, are listed on the attached PTO form 1449.
- ☐ Online credit card payment is being made in the amount required under 37 CFR §1.17(p).

**CERTIFICATION**

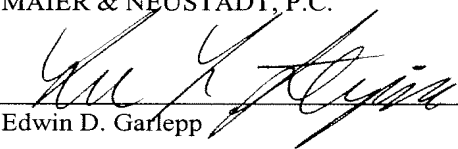
- ☐ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

**DEPOSIT ACCOUNT**

- ☒ Please charge any additional fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit account number 15-0030.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

  
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Lee Stepina  
Registration No. 56,837

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| Form PTO 1449<br>(Modified)  |    | U.S. DEPARTMENT OF COMMERCE<br>PATENT AND TRADEMARK OFFICE       |          | ATTY DOCKET NO.<br><b>283146US</b> |  | SERIAL NO.<br><b>10/578,569</b>   |                               |
| LIST OF REFERENCES CITED BY APPLICANT  |    |  |          | APPLICANT<br><b>Mikal PEVETO</b>   |  |   |                               |
|  |    |  |          | FILING DATE<br><b>May 5, 2006</b>  |  | GROUP<br><b>3728</b>  |                               |
|  |    |  |          |                                    |  |   |                               |
| <b>U.S. PATENT DOCUMENTS</b>   |    |  |          |                                    |  |   |                               |
| EXAMINER<br>INITIAL  |    | DOCUMENT<br>NUMBER   | DATE     | NAME                               | CLASS                                  | SUB<br>CLASS  | FILING DATE<br>IF APPROPRIATE |
|  | AA | 3,169,326  | 02/16/65 | Butera                             |  |   |                               |
|  | AB | 3,895,405  | 07/22/75 | Edwards                            |  |   |                               |
|  | AC | 4,428,089  | 01/31/84 | Dawber et al                       |  |   |                               |
|  | AD | 4,433,494  | 02/28/84 | Courvoisier et al.                 |  |   |                               |
|  | AE | 4,510,636  | 04/16/85 | Phillips                           |  |   |                               |
|  | AF | 4,520,581  | 06/04/85 | Irwin et al.                       |  |   |                               |
|  | AG | 4,522,777  | 06/11/85 | Peterson                           |  |   |                               |
|  | AH | 4,744,157  | 05/17/88 | Dubner                             |  |   |                               |
|  | AI | 4,747,989  | 05/31/88 | Peterson                           |  |   |                               |
|  | AJ | 4,756,096  | 07/21/88 | Meyer                              |  |   |                               |
|  | AK | 4,858,340  | 08/22/89 | Pasternak                          |  |   |                               |
|  | AL | 5,101,580  | 04/07/92 | Lyden                              |  |   |                               |
|  | AM | 5,123,180  | 06/23/92 | Nannig et al.                      |  |   |                               |
|  | AN | 5,285,584  | 02/15/94 | Dubner                             |  |   |                               |
| <b>FOREIGN PATENT DOCUMENTS</b>  |    |  |          |                                    |  |   |                               |
|  |    | DOCUMENT<br>NUMBER   | DATE     | COUNTRY                            | TRANSLATION<br>YES                  NO |   |                               |
|  | AO | EP 0391752   | 10/10/90 | Europe                             |  |   |                               |
|  | AP | WO 94/08479  | 04/28/94 | WIPO                               |  |   |                               |
|  | AQ | WO 90/11698  | 10/18/90 | WIPO                               |  |   |                               |
|  | AR | WO 93/11679  | 06/24/93 | WIPO                               |  |   |                               |
|  | AS | EP 0594219   | 04/27/94 | Europe                             |  |   |                               |
|  | AT | DE 3824169 (w/<br>English Abstract)                              | 01/25/90 | Germany                            |  |   | x                             |
|  | AU | FR 2661075<br>(w/English<br>Abstract)                            | 10/25/90 | France                             |  |   | x                             |
|  | AV | WO 98/52435  | 11/26/98 | WIPO                               |  |   |                               |
| <b>OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)</b>   |    |  |          |                                    |  |   |                               |
|  | AW | DR. SCHOLL'S MEMORY FIT CUSTOMIZING INSOLES (Product Literature) |          |                                    |  |   |                               |
|  | AX |  |          |                                    |  |   |                               |
|  | AZ |  |          |                                    |  | <input checked="" type="checkbox"/> Additional References sheet(s) attached |                               |
| Examiner   |    |  |          |                                    | Date Considered                        |   |                               |
| *Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. |    |  |          |                                    |  |   |                               |

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| EXAMINER<br>INITIAL  |    | DOCUMENT<br>NUMBER   | DATE     | NAME                               | CLASS                                  | SUB<br>CLASS   | FILING DATE<br>IF APPROPRIATE |
|  | AA | 5,746,952  | 05/05/98 | Marshall                           |  |  |                               |
|  | AB | 5,829,171  | 11/03/98 | Weber et al.                       |  |  |                               |
|  | AC | 5,832,634  | 11/10/98 | Wong                               |  |  |                               |
|  | AD | 5,955,159  | 09/21/99 | Allen et al.                       |  |  |                               |
|  | AE | 6,026,595  | 02/22/00 | Curry                              |  |  |                               |
|  | AF | 6,042,759  | 03/28/00 | Marshall                           |  |  |                               |
|  | AG | 6,138,382  | 10/31/00 | Schoesler                          |  |  |                               |
|  | AH | 6,237,256  | 05/29/01 | Maki et al.                        |  |  |                               |
|  | AI | 6,823,550  | 11/30/04 | Kantro                             |  |  |                               |
|  | AJ | 6,782,640  | 08/31/04 | Westin                             |  |  |                               |
|  | AK | 2002/0144363   | 10/10/02 | Royall                             |  |  |                               |
|  | AL | 2003/0005599   | 01/09/03 | Panaccione                         |  |  |                               |
|  | AM | 2003/0105193   | 06/05/03 | Wang                               |  |  |                               |
|  | AN | 2003/0110662   | 06/19/03 | Gilman et al.                      |  |  |                               |
| <b>FOREIGN PATENT DOCUMENTS</b>  |    |  |          |                                    |  |  |                               |
|  |    | DOCUMENT<br>NUMBER   | DATE     | COUNTRY                            | TRANSLATION<br>YES                  NO |  |                               |
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|  | AU |  |          |                                    |  |  |                               |
|  | AV |  |          |                                    |  |  |                               |
| <b>OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)</b>   |    |  |          |                                    |  |  |                               |
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|  | AZ |  |          |                                    |  | <input type="checkbox"/> Additional References sheet(s) attached |                               |
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|  | AA | 2004/0148804   | 08/05/04 | Romano et al                       |  |  |                               |
|  | AB | 3,404,468  | 10/08/68 | Rosen                              |  |  |                               |
|  | AC | 3,686,777  | 08/29/72 | Rosen                              |  |  |                               |
|  | AD | 3,748,756  | 07/03/73 | White                              |  |  |                               |
|  | AE | 4,506,460  | 03/26/85 | Rudy                               |  |  |                               |
|  | AF | 4,858,341  | 08/22/89 | Rosen                              |  |  |                               |
|  | AG | 4,866,861  | 09/19/89 | Noone                              |  |  |                               |
|  | AH | 4,967,492  | 11/06/90 | Rosen                              |  |  |                               |
|  | AI | 5,060,402  | 10/29/91 | Rosen                              |  |  |                               |
|  | AJ | 5,123,181  | 06/23/92 | Rosen                              |  |  |                               |
|  | AK | 5,203,096  | 04/20/93 | Rosen                              |  |  |                               |
|  | AL | 5,241,762  | 09/07/93 | Rosen                              |  |  |                               |
|  | AM | 5,325,614  | 07/05/94 | Rosen                              |  |  |                               |
|  | AN | 5,404,658  | 04/11/95 | Rosen                              |  |  |                               |
| <b>FOREIGN PATENT DOCUMENTS</b>  |    |  |          |                                    |  |  |                               |
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|  | AA | 5,813,146  | 09/29/98 | Gutkowski et al.                   |  |  |                               |
|  | AB | 6,138,385  | 10/31/00 | Jungkind et al.                    |  |  |                               |
|  | AC | 6,438,872  | 08/27/02 | Chil et al.                        |  |  |                               |
|  | AD | 6,574,888  | 06/10/03 | Miller et al.                      |  |  |                               |
|  | AE | 6,609,314  | 08/26/03 | Dubner                             |  |  |                               |
|  | AF | 6,807,754  | 10/26/04 | Miller et al.                      |  |  |                               |
|  | AG | 6,817,116  | 11/16/04 | Chil et al.                        |  |  |                               |
|  | AH | 6,883,254  | 04/26/05 | Miller et al.                      |  |  |                               |
|  | AI | 6,871,421  | 03/29/05 | Potter et al.                      |  |  |                               |
|  | AJ | 2002/0170206   | 03/21/02 | Chil et al.                        |  |  |                               |
|  | AK | 2004/0107604   | 06/10/04 | Ha                                 |  |  |                               |
|  | AL | 2005/0050772   | 03/10/05 | Miller et al.                      |  |  |                               |
|  | AM | 2005/0055848   | 03/17/05 | Miller et al.                      |  |  |                               |
|  | AN | 2005/0055849   | 03/17/05 | Ha                                 |  |  |                               |
| <b>FOREIGN PATENT DOCUMENTS</b>  |    |  |          |                                    |  |  |                               |
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| <b>OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)</b>   |    |  |          |                                    |  |  |                               |
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|  | AY |  |          |                                    |  |  |                               |
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|  | AA | 2005/0060913   | 03/24/05 | Chil et al.                        |  |  |                               |
|  | AB | 2005/0066548   | 03/31/05 | Chil et al.                        |  |  |                               |
|  | AC | 4,454,618  | 06/19/84 | Curchod                            |  |  |                               |
|  | AD | 4,745,290  | 05/17/88 | Frankel et al.                     |  |  |                               |
|  | AE | 5,282,288  | 02/01/94 | Henson                             |  |  |                               |
|  | AF | 5,515,268  | 05/07/96 | Yoda                               |  |  |                               |
|  | AG | 5,539,677  | 07/23/96 | Smith                              |  |  |                               |
|  | AH | 5,714,098  | 02/03/98 | Potter                             |  |  |                               |
|  | AI | 5,879,725  | 03/09/99 | Potter                             |  |  |                               |
|  | AJ | 5,787,608  | 08/04/98 | Greenwalt                          |  |  |                               |
|  | AK | 6,449,878  | 09/17/02 | Lyden                              |  |  |                               |
|  | AL | 6,601,042  | 07/29/03 | Lyden                              |  |  |                               |
|  | AM | 2003/0051372   | 03/20/03 | Lyden                              |  |  |                               |
|  | AN | 2003/0069807   | 04/10/03 | Lyden                              |  |  |                               |
| <b>FOREIGN PATENT DOCUMENTS</b>  |    |  |          |                                    |  |  |                               |
|  |    | DOCUMENT<br>NUMBER   | DATE     | COUNTRY                            | TRANSLATION<br>YES                  NO |  |                               |
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| <b>OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)</b>   |    |  |          |                                    |  |  |                               |
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| EXAMINER<br>INITIAL  |    | DOCUMENT<br>NUMBER   | DATE       | NAME                               | CLASS                                      | SUB<br>CLASS   | FILING DATE<br>IF APPROPRIATE |
|  | AA | 6,779,214  | 08/24/04   | Klopf                              |  |  |                               |
|  | AB | 6,879,945  | 04/12/05   | Cook                               |  |  |                               |
|  | AC | 2002/0038263   | 03/28/02   | Massen                             |  |  |                               |
|  | AD | 2002/0071597   | 06/13/02   | Ravitz et al.                      |  |  |                               |
|  | AE | 2003/0033207   | 02/13/03   | Litke et al.                       |  |  |                               |
|  | AF | 2003/0110095   | 06/12/03   | Danenberg                          |  |  |                               |
|  | AG | 2004/0024645   | 02/05/04   | Potter et al.                      |  |  |                               |
|  | AH | 2004/00134104  | 07/15/04   | Shor                               |  |  |                               |
|  | AI | 2005/0071242   | 03/31/05   | Allen et al.                       |  |  |                               |
|  | AJ | 2005/0071935   | 04/07/05   | Shah et al.                        |  |  |                               |
|  | AK | 217,761  | 07/22/1879 | Winn                               |  |  |                               |
|  | AL | 1,745,627  | 02/04/30   | Lapidus                            |  |  |                               |
|  | AM | 2,393,989  | 02/05/46   | Kamborian                          |  |  |                               |
|  | AN | 2,438,920  | 04/6/48    | Kamborian                          |  |  |                               |
| <b>FOREIGN PATENT DOCUMENTS</b>  |    |  |            |                                    |  |  |                               |
|  |    | DOCUMENT<br>NUMBER   | DATE       | COUNTRY                            | TRANSLATION<br>YES                      NO |  |                               |
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| EXAMINER<br>INITIAL  |    | DOCUMENT<br>NUMBER   | DATE     | NAME                               | CLASS                                  | SUB<br>CLASS   | FILING DATE<br>IF APPROPRIATE |
|  | AA | 2,734,284  | 2/14/56  | Seurbom                            |  |  |                               |
|  | AB | 3,389,481  | 06/25/68 | England                            |  |  |                               |
|  | AC | 3,393,460  | 07/23/68 | Romen                              |  |  |                               |
|  | AD | 3,436,842  | 04/8/69  | Sachs                              |  |  |                               |
|  | AE | 4,060,918  | 12/06/77 | Mandel                             |  |  |                               |
|  | AF | 4,083,128  | 04/11/78 | Rossman                            |  |  |                               |
|  | AG | 4,404,757  | 09/20/83 | Sweeny                             |  |  |                               |
|  | AH | 5,036,604  | 08/06/91 | Rosen                              |  |  |                               |
|  | AI | 5,813,145  | 09/29/98 | Prober                             |  |  |                               |
|  | AJ | 5,956,868  | 09/28/99 | Stevens et al.                     |  |  |                               |
|  | AK | 6,519,876  | 02/18/03 | Geer et al.                        |  |  |                               |
|  | AL | 6,634,121  | 11/21/03 | Sordi                              |  |  |                               |
|  | AM | 6,701,643  | 03/09/04 | Geer et al.                        |  |  |                               |
|  | AN | 6,718,658  | 04/13/04 | Karasawa                           |  |  |                               |
| <b>FOREIGN PATENT DOCUMENTS</b>  |    |  |          |                                    |  |  |                               |
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|  | AA | 2002/0088145   | 07/11/02 | Clark et al.                       |  |   |                               |
|  | AB | 2004/0226114   | 11/18/04 | Karasawa                           |  |   |                               |
|  | AC | 2005/0022426   | 02/03/05 | Clark et al.                       |  |   |                               |
|  | AD | 2,664,650  | 01/05/54 | Sabbagh                            |  |   |                               |
|  | AE | 3,526,976  | 09/08/70 | Jacobs                             |  |   |                               |
|  | AF | 4,351,120  | 09/28/82 | Dalebout                           |  |   |                               |
|  | AG | 5,317,822  | 06/07/94 | Johnson                            |  |   |                               |
|  | AH | 5,459,948  | 10/24/95 | Aveni                              |  |   |                               |
|  | AI | 5,727,334  | 03/17/98 | Cougar                             |  |   |                               |
|  | AJ | 5,996,252  | 12/07/99 | Cougar                             |  |   |                               |
|  | AK | 5,966,840  | 10/19/99 | Bell et al.                        |  |   |                               |
|  | AL | 6,243,973  | 06/12/01 | Lind                               |  |   |                               |
|  | AM | 6,651,360  | 11/25/03 | Lind                               |  |   |                               |
|  | AN | 6,662,476  | 12/16/03 | Lind                               |  |   |                               |
| <b>FOREIGN PATENT DOCUMENTS</b>  |    |  |          |                                    |  |   |                               |
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|  | AA | 6,345,454  | 02/12/02 | Cotton                             |  |   |                               |
|  | AB | 6,460,273  | 10/08/02 | Witjes                             |  |   |                               |
|  | AC | 6,598,324  | 07/29/03 | Tsuji                              |  |   |                               |
|  | AD | 6,813,847  | 11/09/04 | Workman                            |  |   |                               |
|  | AE | 6,915,596  | 07/12/05 | Grove et al.                       |  |   |                               |
|  | AF | 2001/0018805   | 09/06/01 | Basso                              |  |   |                               |
|  | AG | 2004/0025374   | 02/12/04 | Basso                              |  |   |                               |
|  | AH | 2002/0043008   | 04/18/02 | Favreau                            |  |   |                               |
|  | AI | 2002/0178613   | 12/05/02 | Williamson et al.                  |  |   |                               |
|  | AJ | 2,096,615  | 10/19/37 | MacDonald et al.                   |  |   |                               |
|  | AK | 2,330,317  | 09/28/43 | Stewart                            |  |   |                               |
|  | AL | 2,795,953  | 06/18/57 | Makowsky                           |  |   |                               |
|  | AM | 3,504,540  | 04/07/70 | Pradko et al.                      |  |   |                               |
|  | AN | 4,267,728  | 05/19/81 | Manley et al.                      |  |   |                               |
| <b>FOREIGN PATENT DOCUMENTS</b>  |    |  |          |                                    |  |   |                               |
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| EXAMINER<br>INITIAL  |    | DOCUMENT<br>NUMBER   | DATE     | NAME                               | CLASS                                      | SUB<br>CLASS   | FILING DATE<br>IF APPROPRIATE |
|  | AA | 4,416,293  | 11/22/83 | Anderson et al.                    |  |  |                               |
|  | AB | 4,454,618  | 06/19/84 | Curchod                            |  |  |                               |
|  | AC | 4,534,365  | 08/13/85 | Bonetta et al.                     |  |  |                               |
|  | AD | 4,600,016  | 07/15/86 | Boyd et al.                        |  |  |                               |
|  | AE | 4,745,290  | 05/17/88 | Frankel et al.                     |  |  |                               |
|  | AF | 4,858,621  | 08/22/89 | Franks                             |  |  |                               |
|  | AG | 4,876,758  | 10/31/89 | Rolloff et al.                     |  |  |                               |
|  | AH | 5,640,779  | 06/24/97 | Rolloff et al.                     |  |  |                               |
|  | AI | 4,917,105  | 04/17/90 | Tiitola et al.                     |  |  |                               |
|  | AJ | 5,128,880  | 07/07/92 | White                              |  |  |                               |
|  | AK | 5,237,520  | 08/17/93 | White                              |  |  |                               |
|  | AL | 5,195,030  | 03/16/93 | White                              |  |  |                               |
|  | AM | 5,206,804  | 04/27/93 | Thies et al.                       |  |  |                               |
|  | AN | 5,299,454  | 04/05/94 | Fuglewicz et al.                   |  |  |                               |
| <b>FOREIGN PATENT DOCUMENTS</b>  |    |  |          |                                    |  |  |                               |
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|  | AA | 5,339,252  | 08/16/94 | White et al.                       |  |  |                               |
|  | AB | 5,361,133  | 11/01/94 | Brown et al.                       |  |  |                               |
|  | AC | 5,659,395  | 08/19/97 | Brown et al.                       |  |  |                               |
|  | AD | 5,790,256  | 08/04/98 | Brown et al.                       |  |  |                               |
|  | AE | 5,477,371  | 12/19/95 | Shafir                             |  |  |                               |
|  | AF | 5,689,446  | 11/18/97 | Sundman et al.                     |  |  |                               |
|  | AG | 5,753,931  | 05/19/98 | Borchers et al.                    |  |  |                               |
|  | AH | 5,885,229  | 03/23/99 | Yamato et al.                      |  |  |                               |
|  | AI | 5,941,835  | 08/24/99 | Sundman                            |  |  |                               |
|  | AJ | 6,000,082  | 12/14/99 | Nguyen                             |  |  |                               |
|  | AK | 6,289,107  | 09/11/01 | Borchers et al.                    |  |  |                               |
|  | AL | 6,804,571  | 10/12/04 | Fullen et al.                      |  |  |                               |
|  | AM | 6,823,550  | 11/30/04 | Kantro                             |  |  |                               |
|  | AN | 6,879,945  | 04/12/05 | Cook                               |  |  |                               |
| <b>FOREIGN PATENT DOCUMENTS</b>  |    |  |          |                                    |  |  |                               |
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|  | AA | 6,892,574  | 05/17/05 | Lo                                 |  |  |                               |
|  | AB | 2002/0120531   | 08/29/02 | Fonsen                             |  |  |                               |
|  | AC | 2002/0138923   | 10/03/02 | Shaffeeullah                       |  |  |                               |
|  | AD | 2004/0032052   | 02/19/04 | Meyers et al.                      |  |  |                               |
|  | AE | 2004/0074112   | 04/22/04 | Gislason                           |  |  |                               |
|  | AF | 2004/0143452   | 07/22/04 | Pattillo et al.                    |  |  |                               |
|  | AG | 2004/0250359   | 12/16/04 | Spivey                             |  |  |                               |
|  | AH | 5,985,383  | 11/16/99 | Allen et al.                       |  |  |                               |
|  | AI | 6,282,816  | 09/04/01 | Rosendahl                          |  |  |                               |
|  | AJ | 2006/0107552   | 05-2006  | Clark et al.                       |  |  |                               |
|  | AK | 6,189,239 B1   | 02/20/01 | Gasparovic, et al.                 |  |  |                               |
|  | AL | 2005/0150134 A1  | 07/14/05 | Issler, James E.                   |  |  |                               |
|  | AM | 2002/0078591 A1  | 06/27/02 | Morrone, Peter                     |  |  |                               |
|  | AN | 6,745,498 B2   | 06/08/04 | Laduca, Phillip F.                 |  |  |                               |
| <b>FOREIGN PATENT DOCUMENTS</b>  |    |  |          |                                    |  |  |                               |
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